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OLL85-3944

26 December 1985

MEMORANDUM FOR: Director, Office of Personnel

FROM: Legislation Division
Office of Legislation

SUBJECT: Request for Special Educational Allowance

REFERENCE: Memo from D/Pers. to DCI, dated 8 October
1985, same subject

1. Attached for your review and comment are letters to Chairman Hamilton of the HPSCI and Chairman Durenberger of the SSCI informing them of the issuance of a regulation establishing a special educational allowance for Agency officers engaged in operational activities that pose a significant risk of reprisal being taken against their children. As stated in the referenced memo, the new regulation would provide the Agency with the authority to pay a special allowance that would enable Agency officers at selected stations to send their children to boarding school in the United States. Because the regulation is being issued pursuant to §4 (b) of the CIA Act of 1949, it is necessary to inform the Oversight Committees of the regulation prior to its promulgation.

2. If you or your staff have any questions or concerns regarding the transmittal letters, please do not hesitate to contact me. Thank you for your cooperation.

Attachments as
stated

Distribution:

Original - Addressee
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D R A F T

The Honorable Lee H. Hamilton
Chairman
Permanent Select Committee on Intelligence
House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

As you are aware, terrorism has escalated at an alarming rate and has become a threat to Agency officers and their dependents at certain stations. We are concerned that the involvement of Agency officers in countering narcotics or terrorist operations could lead to kidnapping or other acts of reprisal against their children. To ensure the safety of the children of Agency officers, we have drafted a new regulatory provision that would authorize the payment of an education allowance to our employees to send their children to schools even when local schools are educationally adequate. Since this regulation is being issued pursuant to §4(b)(2) of the CIA Act of 1949, we are submitting it for your review prior to promulgation of the regulation.

In general, the Agency follows the State Department's Standardized Regulations in determining the amount education allowance and when it will be paid. The State Department Regulations are issued pursuant to Executive Order 10903, which delegates to the Secretary of State the authority of the President under 5 U.S.C. §5922(c) to issue regulations regarding payment of education allowance pursuant to 5 U.S.C. §5924(4) to government employees serving overseas. The purpose of the allowance is to enable an employee to send a dependent to an adequate school at the post, or the nearest locality where an adequate school is available.

There is currently a provision in our regulation that authorizes the payment of a special allowance for employees under Non-Official cover when such allowances are required for cover or security considerations. These special allowances are necessary since an employee under non-official cover could not send his children to a school for children of U.S. government officials. Instead, he would have to pay a premium to send his children to either a private school in the foreign country or back home to the United States. A special education allowance is provided to the non-official cover employee to compensate him for this additional educational expense.

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The new regulatory provision would authorize the payment of a special education allowance to certain Agency employees who perform particularly dangerous duties and/or serve in particularly dangerous posts. It would allow these officers the option of sending their children to a school away from the post even when local schools are adequate. The payment of the allowance would be made to ensure the safety and welfare of the children of Agency officers engaged in operations that pose a significant risk of retaliation against the children of the Agency employee. Although no station has yet been formally designated as a post where children of Agency employees may be targeted, [REDACTED]

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If you have any questions regarding the regulation, please feel free to call me or have your staff contact [REDACTED]

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Sincerely,

Charles A. Briggs
Director, Office of Legislative Liaison

Enclosure as
stated

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